

# MINUTES

Municipal Planning Commission Meeting  
November 21, 2023 1:30 p.m.  
MD Council Chambers

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<b>MEMBERS PRESENT</b>	Kenneth Caissie Lana Spencer Carol Stockman Norm Seatter Debbie Parsons Brad Pearson	Commission Member (Chair) Commission Member Commission Member Commission Member Commission Member Commission Member
<b>MEMBERS ABSENT</b>	Sandra Rendle	Development Authority, MDLSR
<b>IN ATTENDANCE</b>	Ann Holden Jillian Bishop Drew DeSchover Darbie DeSchover Ted Barnes	Development Authority, MDLSR Recording Secretary, MDLSR Applicant Applicant Applicant (via Teams)
<b>CALL TO ORDER</b>	A. Holden called the meeting to order at 1:33 p.m.	
<b>CALL FOR OBJECTIONS</b>	No calls for objections.	
<b>ADOPTION OF AGENDA</b>	<b><u>MOTION: MPC 052-23</u></b> Moved by N. Seatter to adopt the November 21, 2023 Municipal Planning Commission Agenda as amended. - Add Introductions to Agenda	<b>CARRIED</b>
<b>ADOPTION OF MINUTES</b>	<b><u>MOTION: MPC 053-23</u></b> Moved by K. Caissie to adopt the September 12, 2023 Municipal Planning Commission Meeting Minutes as amended. - Add time of meeting to minutes header	<b>CARRIED</b>
	<b><u>MOTION: MPC 054-23</u></b> Moved by L. Spencer to adopt the October 17, 2023 Municipal Planning Commission Meeting Minutes as amended. - Add time of meeting to minutes header	<b>CARRIED</b>
<b>APPOINTMENT OF CHAIR</b>	Call for nominations for Chair <ul style="list-style-type: none"><li>L. Spencer nominated N. Seatter. N. Seatter declined.</li><li>N. Seatter nominated L. Spencer. L. Spencer accepted.</li><li>B. Pearson nominated K. Caissie. K. Caissie accepted.</li></ul> Secret vote was held. <b><u>MOTION: MPC 055-23</u></b> Moved by C. Stockman to appoint K. Caissie as Chair of the Municipal Planning Commission.	<b>CARRIED</b>
<b>APPOINTMENT OF VICE-CHAIR</b>	Call for nominations for Vice-Chair <ul style="list-style-type: none"><li>C. Stockman nominated B. Pearson. B. Pearson declined.</li><li>B. Pearson nominated L. Spencer. L. Spencer accepted.</li><li>No other nominations were made.</li></ul>	

**MOTION: MPC 056-23**

Moved by N. Seatter that nominations cease.

**CARRIED**

**MOTION: MPC 057-23**

Moved by N. Seatter to appoint L. Spencer as Vice-Chair of the Municipal Planning Commission.

**CARRIED**

**INTRODUCTIONS**

All Municipal Planning Commission members and MD staff provided introductions.

**DEVELOPMENT  
APPLICATIONS**

**23-D-047**

Applicant: Drew DeSchover  
Owner: Discover Bros Ltd  
Development File #: 23-D-047  
Legal Land: NE-22-72-5-W5  
Rural Address: 723045 Eating Creek Way  
Zoning: Agricultural (A)

**General Background**

- The parcel is located to the east of Eating Creek Way.
- The parcel is 62.25 hectares (153.95 acres).
- The lot is currently being prepared for animal pasture and it has an accessory building where half is used for a sandblasting business and the other half is used to store equipment such as a bobcat and a tractor.
- Previous development permits and land use amendments for this lot includes:
  - Development permit 21-D-049: Accessory Building to primary agricultural operation
  - Development permit 22-D-010: General Commercial Services (Maintenance shop) – refused
  - Development permit 23-D-001: Home Occupation – up to three (3) employees on-site (similar ruse): sandblasting operation
  - Development permit 23-D-007: Sea cans (3)
- There are several pipelines (both operating and abandoned) and an abandoned well on the land.
- The land is not within the IDP area, so no referral was sent to the Town of Slave Lake.
- The proposed building area is not within the 100-year flood inundation area.

**Discussion was held about the following:**

- The type of container that the sand arrives in.
- The addition of a condition that no permanent structures are to be located on top of Cardinal's pipeline(s) or within the surveyed right of way boundaries.
- The base of the tent will be on movable mats, but it still can not be located on top of pipelines or within the surveyed right of way boundaries.
- Plans for future development on the property and whether intensity of use is changing.
- How taxes are calculated for the property, with a portion calculated for agricultural use, and the remainder calculated for commercial use.
- The percent of use of the parcel for agricultural purposes and for the sandblasting business. The applicant stated it was approximately 2% for the sandblasting business and 98% agricultural.

- The use of the leased road rather than MD roads, which was clearly explained in a previous development permit, so it's not required to be added to the conditions for this development permit.
- Clarifying the purpose of the tent vs seacans for storage. The tent will be used for sand storage, whereas the seacans are used for lockable storage for equipment. Currently, the applicant has a development permit for three (3) seacans but only has one (1) so far and will be adding the other two (2) at a later date.

**MOTION: MPC 058-23**

Moved by L. Spencer to approve Development Permit **23-D-047** with the attached conditions as amended:

- Add condition 2: No permanent structures are to be located on top of Cardinal's pipeline(s) or within the surveyed right of way boundaries.

**CARRIED**

D. & D. DeSchover left at 2:02 p.m.

**23-D-048**

Applicant: Ted Barnes  
Owner: 1072166 Alberta Ltd  
Development File #: 23-D-048  
Legal Land: Plan 952 3561; ; Lot A (NW-13-70-1-W5)  
Rural Address: 10081 Croswell Rd  
Zoning: Community Facilities (CF)

**General Background**

- The parcel is located 11 km from Smith. It is accessed from Croswell Rd.
- The parcel is 48.98 hectares (121.03 acres).
- The Municipal Planning Commission approved the main use for this lot in 2021 for a Recreation Camp called Midnight Sky Outdoor Centre.
- Previous development permits and land use amendments for this lot includes:
  - Development permit S-17(E)-52-83: Campsite development (approved July 29, 1983)
  - Development permit 94-D-76: Campground (refused September 7, 1994, because the land was zoned Agriculture.
  - Development permit 95-D-28: Single family dwelling (approved May 5, 1995)
  - Wellsite approval (April 9, 1996) for licence # 0193186
  - Application to rezone the lot from Agriculture to Recreation Facility and Resort District. The land use bylaw amendment was approved December 16, 1998.
  - Development permit 98-D-104: Campground (approved January 13, 1999)
  - Development permit 11-D-016: Public utility building (91-metre communication tower). The permit was approved April 8, 2011, an appeal was filed, and the hearing was on May 24, 2011. The tower was not built.
  - 21-D-046: Sea Cans (4 40' and 2 20')
  - 21-D-047: Recreation Camp with 20 Cabins and a Temporary Tent Shelter
  - 22-D-013: Accessory Building to Recreation Camp: Gathering/Events Facility
  - 22-D-028: Accessory Building to Recreation Camp: Shower House and 2 40' Sea Cans with Arctic Shelter
  - 22-D-057: Accessory Building to Recreation Camp: Accommodation Facility
- Adjacent landowner letters were sent October 2, 2023.

**Discussion was held about the following:**

- The unsuitability of the two museum buildings for accommodations due to their condition and the fact that they have not been inspected.
- Plans to upgrade bunkhouses and sea cans to make them look residential, which included images of what they would look like once upgrades are complete, as well as the expected timeline of starting in spring 2024 to do upgrades.
- How water and sewer are handled for the facilities. The applicant stated that they use a combination of porta-potties, pit toilets with vaults, and holding tanks that get pumped out for sewer services. He also stated that they have a well on site, a 1200 gallon cistern, and cage tank that gets filled with potable water.
- The need to add a condition for fire inspection to determine maximum occupancy. The applicant stated that weekends have up to 200 people, and weekdays have up to 10 people.
- The type of accommodations the current participants use, which the applicant explained is a combination of Recreational Vehicles, tents, and the existing accommodations on site.
- The possibility of adding a second approach for safety reasons. The applicant stated that there is a meadow with a gate that participants could access in an emergency.
- The need for a safety plan for the property.
- The Change in Use of Two (2) Museum Buildings (From Museum to Accommodation Facility) was not approved.

**MOTION: MPC 059-23**

Moved by L. Spencer to approve Development Permit **23-D-048** for Recreation Camp: Addition of Two (2) Accommodation Facilities (Bunk Houses) with the conditions as amended.

- Add condition 9: The developer must have an inspection done by the fire department to determine the maximum occupancy load.

**CARRIED**

L. Spencer left at 2:36 p.m.  
L. Spencer returned at 2:38 p.m.

**Discussion was held about the following:**

- The difference between the legal bank on title from 1995 and the RPR from 2023. The legal bank does not change until it is changed by both a surveyor and Alberta forestry and is registered on title.
- The parcel has high elevation from the top of bank.
- The reason for asking for a variance. The applicant stated it was because of the conditions for the previous development permit 22-D-057 for the bunkhouse that required a survey to determine the top of bank.
- Whether or not pre-existing structures need variances or not. A. Holden confirmed that the development permits must be examined and that they may not need a variance.
- The location of the new bunkhouses in relation to the rest of the structures.
- The existing bunkhouse was placed within 30m of the existing bank, not the legal bank.
- Whether the property would be considered legal non-conforming or non-conforming. A. Holden stated that the buildings with a variance are authorized by the municipality and the building would not be considered non-conforming.

**MOTION: MPC 060-23**

Moved by L. Spencer to approve an amendment to Development Permit **22-D-057** to read \*Amended Accessory Building to Recreation Camp: Accommodation Facility – Variance from 30 m to 23.44 m from the existing surveyed bank of lake as shown on plan 952 3561 as per the attached report.

**CARRIED**

T. Barnes left at 3:00 p.m.

**SUBDIVISION APPLICATION**

**23-S-07**

Applicant: Duane Whitelock  
Owner: same  
Subdivision File #: 23-S-07  
Legal land: NE-16-65-26-4  
Rural address: N/A

**Parcel Zoning & Land Use Planning:**

Existing Land Use: Agricultural (A)  
Proposed Land Use: No change  
Zoning: Agricultural  
Change: Proposed lot line adjustment  
Municipal Development Plan: Agriculture Area  
Area Structure Plan: N/A  
Intermunicipal Development Plan: N/A  
Other Plans: Big Bend Integrated Resource Plan, White Area

<b>Existing Parcel Area Lot 2</b>	27.76 ha	68.6 ac
<b>Existing Parcel Area Lot 3</b>	27.76 ha	68.6 ac
<b>New Parcel Area Lot 5</b>	10.0 ha	24.7 ac
<b>New Parcel Area Lot 6</b>	45.5 ha	112.4 ac

**General Background**

- The quarter section is currently split into four lots. Lot 1 and Lot 4 are 10.01-acre parcels privately owned. Lots 2 & 3 consist of 68.6 Ac. owned by the applicant.
- The proposed lot line adjustment maintains two lots, creating one smaller parcel consisting of 10.0 Ha. (24.7 Ac.) Lot 5 and a larger lot of 45.5 Ha. (112.4 Ac.) Lot 6.
- The quarter section is at the maximum number of lots allowed under the Agricultural District
- There is an abandoned well site on the property that has been fully reclaimed. Certificate #00231538-00-00 issued November 29, 2006.
- Adjacent Landowner Letters were sent out August 31, 2023.
- Adjacent uses include a mix of crown land, agricultural land, and residential acreages. Westlock County has a gravel pit SW of the proposed subdivision. Westlock County did not respond to the adjacent landowner notification letter.
- The applicant did indicate that he has a family interested in buying the 24.7 ac parcel (Lot 5) in the future and developing it.
- Development permits: None.
- A subdivision was approved in 1979, however, it looks like this subdivision was not registered as there is no plan in SPIN. The current lot lines were established with subdivision 07-L-438. This subdivision file was not in the legal file.

**Discussion was held about the following:**

- The zoning for this lot will remain Agricultural.
- The reason this was brought to the Municipal Planning Commission is because lot line adjustments are a type of subdivision, which must always be brought to the MPC.
- Because this is what's considered a triggering event, the financial responsibility for culvert and approach construction is with the developer, not the MD. The approaches must be approved by the MD.
- The MD pays for road maintenance of TWP RD 653.
- The subdivision doesn't get endorsed until all conditions are met.

**MOTION: MPC 061-23**

Moved by C. Stockman to conditionally approve Subdivision Application **23-S-07** with the attached conditions as presented.

**CARRIED**

N. Seatter left at 3:21 p.m.  
N. Seatter returned at 3:23 p.m.  
K. Caissie left at 3:22 p.m.  
K. Caissie returned at 3:23 p.m.  
C. Stockman left at 3:23 p.m.  
C. Stockman returned at 3:24 p.m.

**LAND USE  
BYLAW REVIEW**

**Discussion was held about the following:**

- The recommended Land Use Bylaw changes were discussed.
- The recommendations will be brought to council in 2024.
- J. Bishop was asked to send the spreadsheet that has notes for the Land Use Bylaw suggested changes to all members of the Municipal Planning Commission.

B. Pearson left at 3:38 p.m.  
B. Pearson returned at 3:40 p.m.  
C. Stockman left at 3:52 p.m.  
C. Stockman returned at 3:53 p.m.  
L. Spencer left at 4:29 p.m.  
L. Spencer returned at 4:32 p.m.

**ROUNDTABLE**

Roundtable discussion was not held.

**ADJOURNMENT**

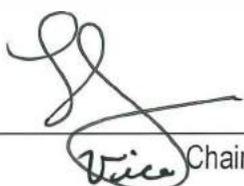
**MOTION: MPC 062-23**

Moved by C. Stockman to adjourn the meeting at 4:32 p.m.

**CARRIED**

The Next Municipal Planning Commission meeting is **December 12, 2023 at 1:30 p.m.**

  
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Development Authority

  
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Vice Chairperson